

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF NEVADA

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In The Matter of Charges and )  
Complaint Against )  
ANGELA LORENZO, P.A.-C, )  
Respondent. )

Case No. 12-28540-1

FILED

JAN 30 2012

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS

By: 

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed, at the time filing was approved, of Theodore Berndt, M.D., Ms. Valerie Clark, BSN, RHU, LUTCF, and Michael Fischer, M.D., having a reasonable basis to believe that Angela Lorenzo, P.A.-C, hereinafter referred to as "Respondent," has violated the provisions of NRS and NAC Chapters 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

1. Respondent is currently licensed in active status (License No. PA816), and was so licensed on December 9, 2003, by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes and Nevada Administrative Code.

2. Respondent owned and practiced at all times alleged herein at Modern Medical and Weight Loss in Las Vegas, NV. Modern Medical and Weight Loss, according to its website, specializes in medical weight loss, wellness, nutritional analysis, hormones, hormone pellet therapy, anti-aging treatment, Botox and wrinkle fillers.

3. Respondent's practice included the prescribing, dispensing and administering of phentermine and/or Human Chorionic Gonadotropin (HCG). Both phentermine and HCG are controlled substances and HCG is considered a compounded drug and is for administration only.

4. Respondent at all times herein alleged, did hold a controlled substance registration and dispensing practitioner registration with the Nevada State Board of Pharmacy.

1           5.       The true identity of any patients referenced herein has not been disclosed to protect  
2 their privacy, but their identities are disclosed in the Patient Designation served on Respondent  
3 along with a copy of this Complaint.

4           6.       On January 28, 2011, an Electronic Health Record (EHR) was created for Patient A  
5 for an encounter with Patient A on that day which contained a brief note regarding a "Myers  
6 Cocktail IV Push." This particular patient note was opened multiple times after the encounter date  
7 and on April 27, 2011, Respondent directed that the encounter note be reopened and a paragraph  
8 of information regarding the Myers Cocktail IV Push was added. There is no notation made that  
9 this was an addendum to the record and the record remained dated and electronically signed by  
10 Respondent for January 28, 2011.

11           7.       In February 2011, Respondent implanted a testosterone pellet in Patient B. In  
12 June 2011, Respondent directed her employee to create a fraudulent lab record for Patient B in  
13 order to have results that would substantiate an insurance company claim to cover the implantation  
14 of the testosterone pellet. The fraudulent record was based upon an actual lab result of Patient C.

15           8.       Between August 12, 2011 and August 19, 2011, Respondent traveled to Hawaii  
16 with several members of her staff, as well as individuals who were non-staff. During this period  
17 of time, Modern Medical and Weight Loss remained opened and medical assistants continued to  
18 administer weight loss injections.

19           9.       Upon returning from Hawaii, Respondent submitted three claims to Altius Health  
20 Insurance regarding care provided to one of the individuals who accompanied her on the trip,  
21 Patient D. The dates of service were for August 13, 2011 and August 14, 2011, while Respondent  
22 and Patient D were both in Hawaii. The first claim gave diagnosis codes related to the care of  
23 cellulitis and an abscess on the buttock or gluteal region. The place of service is reported as  
24 outpatient/office. The second claim related to other cellulitis and abscess of the neck and other  
25 malaise and fatigue, and the third related to cellulitis, an abscess on the buttock or gluteal region  
26 and malaise and fatigue. The place of service for the second and third claims was reported as  
27 "home."

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10. Medical records were fraudulently created for the alleged care provided to Patient D, indicating treatment dates of August 13, 2011 and August 14, 2011 and which were electronically signed by Respondent for those respective dates. However, the record of August 13, 2011 was created on September 26, 2011 and the record for the August 14, 2011 encounter was created on September 15, 2011.

11. On September 1, 2011, twenty-eight (28) pre-filled syringes of (HCG) were dispensed to Patient E. Patient E had previously purchased four (4) syringes for HCG via the Internet from Respondent; however the pre-filled syringes dispensed on September 1, 2011 were dispensed to the patient at Modern Medical and Weight Loss. The patient was seen by a medical assistant; however Respondent did not personally examine the patient on September 1, 2011, although a medical record was electronically signed by her.

12. In February 2011 and August 2011, Respondent dispensed 37.5 mg phentermine in bottles of sixty pills to Patient F who resided in California, by shipping it to Patient F's residence without seeing Patient F in person but rather having a "phone visit" with Patient F.

13. It was Respondent's custom and practice to allow medical assistants, who were licensed as dispensing technicians with the Nevada State Board of Pharmacy, to dispense both HCG and phentermine when she was not physically present at Modern Medical and Weight Loss.

### Count I

14. Nevada Administrative Code (NAC) section 630.380(1)(l) provides that violation of a provision of NAC 630.230 is grounds for initiating disciplinary action against a physician assistant licensee.

15. NAC 630.230(1)(a) prohibits the falsification of a record of health care.

16. Respondent caused a falsified lab report to be created regarding Patient B, and thus is in violation of NAC 630.230(1)(a) and therefore NAC 630.380(1)(l).

17. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NAC 630.410.

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**Count II**

18. NAC section 630.380(1)(l) provides that violation of a provision of NAC 630.230 is grounds for initiating disciplinary action against a physician assistant licensee.

19. NAC 630.230(1)(a) prohibits the falsification of a record of health care.

20. Respondent created falsified EHR's for Patient D regarding alleged treatment occurring on August 13, 2011 and August 14, 2011, as alleged above, and thus is in violation of NAC 630.230(1)(a) and therefore NAC 630.380(1)(l).

21. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NAC 630.410.

**Count III**

22. NAC section 630.380(1)(m) provides that violation of a provision of Nevada Revised Statute's (NRS) sections 630.301 to 630.3065 is grounds for initiating disciplinary action against a physician assistant licensee.

23. NRS 630.3062(2) provides that altering medical records of a patient is grounds for initiating discipline.

24. Respondent altered the EHR encounter note regarding Patient A as alleged above in violation of NRS 630.3062(2), and therefore is in violation of NAC 630.380(1)(m).

25. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NAC 630.410.

**Count IV**

26. NAC 630.380(1)(m) provides that violation of a provision of NRS 630.301 to 630.3065 is grounds for initiating disciplinary action against a physician assistant licensee.

27. NRS 630.306(2)(a) provides that engaging in conduct which is intended to deceive is grounds for initiating discipline.

28. Respondent engaged in conduct which was intended to deceive when she submitted false claims to Altius Health Insurance regarding care allegedly given in her office and/or at Patient D's home when she was verified to be in Hawaii, when she created falsified EHR's for

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1 patients as alleged above, and when she altered the EHRs of patients as alleged above and  
2 accordingly, Respondent is in violation of NRS 630.306(2)(a).

3 29. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
4 Board of Medical Examiners as provided in NAC 630.410.

5 **Count V**

6 30. NAC 630.380(1)(h) provides that administering, dispensing or possessing any  
7 controlled substance otherwise than in the course of legitimate medical services or as authorized  
8 by law and her supervising physician is grounds for initiating disciplinary action against a  
9 physician assistant licensee.

10 31. NAC 639.742(3)(f) provides that a dispensing practitioner, in dispensing drugs,  
11 must ensure that all drugs are dispensed only to the patient at the facility from which the  
12 practitioner is registered to dispense drugs.

13 32. Respondent shipped phentermine at least two times to Patient F in California, and  
14 accordingly, is violation of NAC 639.742(3)(f) and NAC 630.380(1)(h).

15 33. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
16 Board of Medical Examiners as provided in NAC 630.410.

17 **Count VI**

18 34. NAC 630.380(1)(h) provides that administering, dispensing or possessing any  
19 controlled substance otherwise than in the course of legitimate medical services or as authorized  
20 by law and her supervising physician is grounds for initiating disciplinary action against a  
21 physician assistant licensee.

22 35. LCB File No. R035-06, an uncodified regulation of the Nevada State Board of  
23 Pharmacy effective as of September 23, 2008, provides that a compounded drug may only be  
24 administered by a practitioner and may only be sold or otherwise provided by a pharmacy to a  
25 practitioner for that purpose.

26 36. Respondent dispensed HCG, a compounded drug for administration only, from  
27 Modern Medical and Weight Loss, as evidenced by the dispensing to Patient E, and by allowing

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1 her medical assistants/dispensing technicians to dispense HCG as well, and accordingly, is in  
2 violation of R035-06 and NAC 630.380(1)(h).

3 37. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
4 Board of Medical Examiners as provided in NAC 630.410.

5 **Count VII**

6 38. NAC 630.380(1)(h) provides that administering, dispensing or possessing any  
7 controlled substance otherwise than in the course of legitimate medical services or as authorized  
8 by law and her supervising physician is grounds for initiating disciplinary action against a  
9 physician assistant licensee.

10 39. NAC 639.742(3)(e) provides that a dispensing practitioner shall ensure that no  
11 prescription is dispensed to a patient unless the dispensing practitioner is on-site at the facility  
12 from which the practitioner is registered to dispense drugs.

13 40. Respondent's custom and practice of allowing her medical assistants/dispensing  
14 technicians to dispense Phentermine and HCG while she was not present in the office is in  
15 violation of NAC 639.742(3)(e) and NAC 630.380(1)(h).

16 41. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
17 Board of Medical Examiners as provided in NAC 630.410.

18 **WHEREFORE**, the Investigative Committee prays:

19 1. That the Nevada State Board of Medical Examiners give Respondent notice of the  
20 charges herein against her and give her notice that she may file an answer to the Complaint herein  
21 as set forth in Section 630.339(2) of the Nevada Revised Statutes within twenty (20) days of  
22 service of the Complaint;

23 2. That the Nevada State Board of Medical Examiners set a time and place for a  
24 formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);

25 3. That the Nevada State Board of Medical Examiners determine what sanctions it  
26 shall impose if it finds there has been a violation or violations of the Medical Practice Act (Nevada  
27 Revised Statutes and Nevada Administrative Code Chapters 630) committed by Respondent; and

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4. That the Nevada State Board of Medical Examiners make, issue and serve on Respondent its findings of fact, conclusions of law and order, in writing, that includes the sanctions imposed; and

5. That the Nevada State Board of Medical Examiners take such other and further action as may be just and proper in these premises.

DATED this 30<sup>th</sup> day of January, 2012.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Lyn E. Beggs  
Lyn E. Beggs, Esq.

General Counsel and Attorney for the Investigative Committee

VERIFICATION

STATE OF NEVADA )  
 ) ss.  
COUNTY OF WASHOE )

THEODORE B. BERNDT, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that he is the current Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

DATED this 30<sup>th</sup> day of January, 2012.

Theodore B. Berndt

THEODORE B. BERNDT, M.D.